

# HOUSE . . . . . No. 2721

By Mr. Jones of North Reading, petition of Bradley H. Jones, Jr. and others relative to authorizing the return of certain unused medication to the pharmacy from which it was purchased. Public Health.

## The Commonwealth of Massachusetts

### PETITION OF:

Bradley H. Jones, Jr.	Donald F. Humason, Jr.
Mary S. Rogeness	Susan W. Pope
Daniel F. Keenan	Susan Williams Gifford
George N. Peterson, Jr.	Daniel K. Webster
John A. Lepper	William C. Galvin
Viriato Manuel deMacedo	Shirley Gomes
Elizabeth A. Poirier	Michael J. Coppola
Jeffrey Davis Perry	Richard J. Ross
Louis L. Kafka	

In the Year Two Thousand and Five.

AN ACT PROVIDING FOR UNUSED MEDICATION RETURN BY HEALTH CARE FACILITIES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 111 of the General Laws, as appearing the 2002 Offi-  
2 cial Edition, is hereby amended by striking out section 25I and  
3 inserting in place thereof the following section:—  
4 Section 25I. The commissioner shall promulgate regulations  
5 requiring that either a resident or consultant pharmacist in a health  
6 care facility shall return to the pharmacy from which it was pur-  
7 chased all unused medication; provided that such medication is  
8 sealed in unopened, individually packaged units and within the  
9 recommended period of shelf life, and provided that such medica-  
10 tion is not a schedule I or II controlled substance as defined in  
11 chapter 94C. Such pharmacies shall accept all such unused med-  
12 ications regardless of whether such medications are included on

13 any list of unit-dose drugs issued by the department or the divi-  
14 sion of medical assistance. Any rules and regulations issued by  
15 the commissioner shall permit the pharmacy to which such med-  
16 ication is returned to restock and redistribute such medication, and  
17 shall be required to reimburse or credit the purchaser for any such  
18 returned medication.